

REMARKS

I. STATUS OF THE CLAIMS.

Claims 1-24 were previously pending in this application.

Claims 1-24 were rejected.

Claims 2-4, 6-8, 11-16, 18, and 21 are canceled without prejudice or disclaimer.

Claims 1 and 23 are amended herein.

Claims 25 thru 29 are added herein.

Claims 1, 5, 9, 10, 17, 19, 20, and 22 -29 are now pending and under consideration.

No new matter is being presented, and approval and entry are respectfully requested.

II. CLAIMS 1-4, 17-18, 20-21 AND 23 ARE REJECTED UNDER 35 U.S.C. 102(e) AS BEING ANTICIPATED BY NISHIMOTO (U.S. PUB. NO. US 2002/0155857).

Independent claims 1 and 23 have been amended to further distinguish the present invention from the cited references. Claim 1 for example, recites a pointing device that can be operated to move an operational object on a display screen in any 360-degree direction. As recited for example, in claim 1, the pointing device comprises a control unit for changing an operation mode of said pointing device according to contents displayed on said display screen at the time said pointing device is operated, wherein said control unit determines a direction in which said operational object can be moved on said display screen according to said operation mode and defines the direction in which said operational object can be moved on said display screen, as a current direction in which said pointing device can be operated.

The Examiner cites Nishimoto as a basis for rejecting the claims as mentioned above. Nishimoto provides a pointing device having an information display section, a sensor section and a control section. Nishimoto's information display section displays information and a pointer used for selecting the information. Further, Nishimoto provides a sensor section that reads an optical image of a finger and detects movements of the finger. Based upon the movement of the finger detected by the sensor section, the control section shifts the pointer (paragraph 0009, page 1).

However, Nishimoto fails to disclose or suggest several features of the device of the present invention as recited in the amended claim 1, for example. In particular, Nishimoto does not disclose *a pointing device that can be operated to move an operational object on a display*

screen in any 360-degree direction, nor does Nishimoto disclose changing an operation mode of said pointing device according to contents displayed on said display screen at the time said pointing device is operated. Furthermore, Nishimoto does not disclose a control unit determines a direction in which said operational object can be moved on said display screen according to said operational mode, as recited in the amended claim 1, for example. Support for these features, in the amended claim 1, for example, can be found, for example, on page 10, line 9 thru page 11, line 20 and figures 12a - 15, of the specification.

Although the above comments are directed to claim 1, it is respectfully submitted that the comments would be helpful in understanding various differences of various other claims, newly amended claims 23 for example, over the cited reference. Claims 5, 9, 10, 17, 19, 20, 22 depend from claim 1 and claim 24 depends from claim 23, therefore the comments above may be applied hereto.

Therefore, Nishimoto does not anticipate the present invention because; Nishimoto does not disclose all the features of the present invention, as recited in the amended claim 1, for example. In view of the claim amendments and remarks, withdrawal of the rejection and allowance of claims 1, 5, 9, 10, 17, 19, 20, and 22-24 is respectfully requested.

III. CLAIMS 5-16, 19, 22 AND 24 ARE REJECTED UNDER 35 U.S.C. 103(a) AS BEING UPATENTABLE OVER NISHIMOTO IN VIEW OF KIM (U.S. PAT. NO. 6765598).

Claims 5-16, 19, and 22 depend from claim 1, claim 24 depends from claim 23, therefore the comments in section II above may be applied hereto. Furthermore, Kim simply discloses a method in which the menu selection time is shortened by making the speed of the movement of a pointer between icons of different levels faster than that of movement of the pointer between icons of the same level (see column 1, lines 38-44). Kim does not disclose nor suggest a device that provides a *moving amount adjustment means for moving said operational object by a predetermined step value when said pointing device is operated*, as recited in claim 5 for example. Therefore, it would not have been obvious to combine the system taught by Nishimoto in view of the method taught by Kim because neither of these patents discloses all the features of the present invention.

IV. NEW CLAIMS 25 THRU 29.

New claims 25 thru 29 are added herein. The claims are directed to a *mobile telephone*,

comprising: a pointing device that can be operated to move an operational object on a display screen in any 360-degree direction ... control unit for changing an operation mode of said pointing device ... operational object can be moved on said display screen according to said operation mode ... as recited similarly in amended claims 1 and 23. Support for the added claims can be found on page 10, line 1 thru page 11, line 1 and Figures 4a, 12a and 12 of the specification, for example. Therefore, it is submitted that claims 25 thru 29 patentably distinguishes over the prior art.

V. CONCLUSION

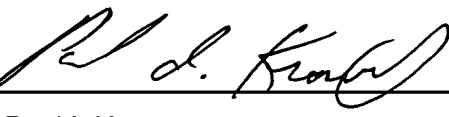
There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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